

1  
2  
3  
4  
5  
6  
7  
8

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 DENNIS CYRUS, JR.,  
15 Defendant

No. CR 05-0324 MMC

**ORDER DENYING DEFENDANT'S  
MOTION TO ENSURE ADEQUATE  
JUROR COMPENSATION  
(DEFENDANT'S TRIAL MOTION NO. 46)**

16 Before the Court is defendant Dennis Cyrus, Jr.'s "Motion to Ensure Adequate Juror  
17 Compensation," filed September 1, 2008. The United States has filed opposition.  
18 Defendant has not filed a reply. Having read and considered the papers filed in support of  
19 and in opposition to the motion, the Court finds, for the reasons stated by the United  
20 States, that defendant has failed to show that application of 28 U.S.C. § 1871(b) to the  
21 venire herein would deprive defendant of his constitutional rights under the Fifth, Sixth,  
22 and/or Eighth Amendments.

23 Accordingly, the motion is hereby DENIED.  
24

**IT IS SO ORDERED.**

25  
26 Dated: November 5, 2008  
27  
28

*Maxine M. Chesney*  
MAXINE M. CHESNEY  
United States District Judge